

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark S. Thompson
Serial Number: 10/588,806
Filed: 09/16/2008
Group Art Unit: 3723
Examiner: McDonald, Stantese L.
Confirmation No.: 2618
Title: ELEVATOR LOAD BEARING MEMBER
HAVING A JACKET WITH AT LEAST ONE
ROUGH EXTERIOR SURFACE

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is responsive to the Non-Final Office Action mailed on November 7, 2011.
Applicant respectfully requests reconsideration of this application.

The double patenting rejection should be withdrawn.

The non-statutory double patenting rejection of claims 1-4 and 19-21 over claims 1, 6, 7, 10 and 12 of U.S. Patent No. 7,883,634 should be withdrawn. In this case, this application is the earlier filed application. The filing date of this application is March 15, 2004, when the PCT application PCT/US2004/008167 was filed. The filing date of U.S. Patent No. 7,883,634 is February 9, 2005 when PCT/US2005/004257 was filed. Given that this application is the earlier filed application, the Examiner has to demonstrate obviousness-type double patenting using the two